

From: Daniel Bliss
To: Microsoft ATR
Date: 11/20/01 2:32pm
Subject: Microsoft settlement

Keep up your efforts with trying to rein in Microsoft. The proposed settlement leaves gaping loopholes for them to continue monopolistic practices, especially with regard to software that is bundled with the Windows operating system. I see the settlement as being a particular threat to competing (or open source) technologies such as:

- RealPlayer (a key Microsoft competitor that is being pushed off the Windows desktop with the bundling of Windows Media Player)
- Open GL (the open source game acceleration technology that's being pushed out by Microsoft in favor of DirectX, a move that could freeze the Macintosh out of games and other 3D applications because while Open GL is available on both platforms DirectX for now is not)
- Java; the open-source architecture that drives a huge number of web sites and Internet applications (Microsoft is cutting back support for Java from new Windows software including Windows XP and Internet Explorer ? customers will have to manually install a plug-in. That's a move that not only undermines Java's designer, Sun Microsystems, but causes serious trouble for businesses across the country that have built Internet commerce on Java)
- the Internet itself, where Microsoft has engaged in questionable practices in the past on web sites it controls with regard to support for Netscape web browsers, and where the company is very ambitious about expanding its presence.

In more general terms, as a Macintosh user, I'm also concerned about the impact that a continuing increase in Microsoft's power would have on users of platforms other than windows. You take away non-Microsoft 3D acceleration, you take away Java and you corral the Internet, and in three strokes you have effectively ended the average consumer's ability to routinely use anything other than Windows, and indeed anything other than Microsoft products for all but the most specialized uses.

I find it very interesting that the Microsoft Office updates brought out during the anti-trust investigation (Office 2000 for the PC, Office 2001 and Office v.X for the Macintosh) have broken from Microsoft's recent practices and allowed full backwards compatibility with the file formats of the previous versions (Office 97 for the PC, Office 98 for the Mac); I think if Microsoft gets off as lightly as the Department of Justice wants them too, we'll go back to the bad old days of significant incompatibility between each new update of Office. We already see a situation in which Apple, which has to work hard for its customers, enables in some cases ten year old applications to use its new OS X operating system through the 3Classic² interface that comes included for the \$129 price, while Microsoft, which charges \$200 to \$300 for comparable versions of Windows XP, has dropped support even for applications that are just two or three years old.

Moreover, I'm also concerned about a case in federal court Maryland where Microsoft is trying to get judicial approval for a deal to dismiss more than 100 private lawsuits related to overcharging for Windows by donating used computers ? a million of them ? to poor school districts. If this settlement fails to specify which platform, Mac or Windows, these computers should be, or worse yet specifies that the computers be Windows-based, Microsoft's 3rd penalty² would be to hook even more people to the Windows operating system in what is the most important market for Microsoft's only serious mainstream competitor in the operating system market, Apple Computer; in any case, it is a deal that would seriously undermine an already beleaguered computer hardware industry while having a minimal impact on Microsoft with its almost \$40 billion cash reserve. If this is approved, it effectively makes the company even more of a monopoly than it already is. Microsoft already has more than 70 percent of the education operating system market and 95 percent of the market as a whole, a situation that raises anti-trust issues by almost any definition.

Overall, I urge you to keep up the battle to hold Microsoft accountable, because without it, consumer choice and indeed the economics of almost every business other than Microsoft will suffer.

Sincerely,

Daniel Bliss